

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CLIFFORD HILER,)	
)	
Plaintiff,)	
vs.)	NO. CIV-10-1199-HE
)	
CCF WARDEN JOSEPH TAYLOR,)	
et al.,)	
)	
Defendant.)	

ORDER


Plaintiff Clifford Hiler, a prisoner appearing *pro se*, filed this case pursuant to 42 U.S.C. § 1983, alleging a violation of his civil rights. He also filed a motion requesting leave to proceed *in forma pauperis*. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Robert E. Bacharach, who granted the *in forma pauperis* motion. Judge Bacharach's order granting the motion required plaintiff, by December 7, 2010, to either pay an initial filing fee of \$8.19 or show cause in writing for failure to pay. Because plaintiff failed to do either, Judge Bacharach issued a Report and Recommendation recommending dismissal of plaintiff's action without prejudice. Objections to Judge Bacharach's Report and Recommendation were due by January 6, 2011.

On December 30, 2010, plaintiff filed an objection, via a letter to the Court Clerk, stating "I'm unable to pay filing fee because I don't have very much money to send." [Doc. #7]. Such a general statement is insufficient to justify rejecting the Magistrate Judge's recommendation, which was based on specific information as to the balance in plaintiff's institutional trust account.

Accordingly, the court **ADOPTS** Magistrate Judge Bacharach's Report and Recommendation and **DISMISSES** this action without prejudice.

IT IS SO ORDERED.

Dated this 21st day of January, 2011.



JOE HEATON
UNITED STATES DISTRICT JUDGE